



**Badan Peguam Malaysia
Malaysian Bar**

www.malaysianbar.org.my

Wisma Badan Peguam Malaysia
2 Leboh Pasar Besar
50050 Kuala Lumpur, Malaysia
Tel : +603-2050 2050
Fax : +603-2050 2019
Email : council@malaysianbar.org.my

**Circular No 172/2025
Dated 28 May 2025**

To Members of the Malaysian Bar

**Question-and-Answer Session with the Federal Territories Director of
Lands and Mines Kuala Lumpur on National Land Code Forms**

On 10 Jan 2025, the Bar Council Conveyancing Practice Committee (“CPC”) organised a workshop titled “Workshop on Proper Completion and Execution of Specific Forms under the National Land Code (Act 828)”. The workshop featured insightful sessions, practical guidance on key forms under the National Land Code (“NLC”), and engaging discussions with representatives from the Federal Territories Director of Lands and Mines Kuala Lumpur (Pejabat Pengarah Tanah dan Galian Wilayah Persekutuan Kuala Lumpur, “PPTGWPKL”).

Further to the above-mentioned workshop, we have listed below the questions and answers from the Question-and-Answer (“Q&A”) session with representatives from PPTGWPKL, which can be found [here](#) (see page 2 onwards).

Members are advised to review the responses listed independently. CPC has not taken any position relating to the answers provided. **The minutes of the Q&A remain provisional subject to revision by CPC upon receiving further comments from PPTGWPKL.**

Thank you.

**Zemilah bt Mohd Noor and Nicholas Chang Chen Seng
Co-Chairpersons
Conveyancing Practice Committee**

(1) Submission of Form 14A (Borang 14A): When the Transferor or Vendor Passes Away or Becomes Bankrupt

Q: If a transferor or vendor signs and dates Form 14A while still alive and not bankrupt, but subsequently passes away or becomes bankrupt before or after the transferee or purchaser signs and applies for consent or submits the document for stamping and registration, what is the position of PPTGWPKL? Can the form still be presented and registered in favour of the transferee or purchaser?

A: Yes, the form can be submitted for registration. However, if the transferor or vendor signed the form while alive but the form was dated after his/her passing, PPTGWPKL will reject the document.

In cases where the transferor or vendor has been declared bankrupt, all assets held by the transferor or vendor must be vested in the Malaysia Department of Insolvency (“Mdl”), and the Mdl officer must be registered as the asset holder.

Thus, the validity of Form 14A depends on the date of signing — if it was executed lawfully before the transferor or vendor’s passing or bankruptcy, it remains valid.

(2) Sufficiency of a Letter from Mdl for Property Transfer

Q: In cases of bankruptcy, is the letter of consent from Mdl acceptable for the transfer of property to be presented for registration at the Land Office?

A: No, Mdl must act in accordance with its governing legislation. Mdl must first be vested in the title deed as the registered owner of the property before a new transfer can be submitted for registration. For PPTGWPKL, a letter from Mdl alone is insufficient.

(3) Use of a Single Form 14A for Multiple Land Titles

Q: For a corner lot property with two separate land titles, can the transfer be effected using a single Form 14A for both titles, or must we use two separate Form 14A for each title?

A: There is no issue in using only one Form 14A. You can fill in all the titles that you want to transfer under Jadual Tanah dan Kepentingan in the form, as long as the titles are located within the same district. A single form can accommodate up to 20 land titles.

(4) Use of Old Identity Card Numbers on Titles

Q: If a property title contains only an old identity card (“IC”) number, is it necessary to submit an application for change of name and particulars to reflect the new IC number?

A: If the old IC number is already reflected in the **existing** title, the application for change of name and particulars is not required. However, for the subsequent transfer of ownership, both the old and new IC numbers must be stated in Form 14A.

If the title does not contain an IC number, as is the case with older titles, an application for change of name and particulars must be submitted under section 378 of the NLC.

(5) Consolidation of Shares in Property Ownership under Different IC Numbers

Q: A client — an elderly individual — jointly owns a property with his/her sibling. The title reflects the client's ownership as 2/4 under the new IC number and 1/4 under the old IC number. Should the client undergo a name change process so that the total 3/4 ownership is consolidated under the new IC number?

A: For the purpose of consolidating the shares, the client may submit the application for change of particulars under section 378 of the NLC

(6) Sale of Property by an Executor to a Third Party

Q: In cases where an executor's name has already been registered on the title and he/she then sells the property to a third party without following the terms of the will, can the transfer be accepted for registration? Does Pekeliling Ketua Pengarah Tanah dan Galian Persekutuan ("KPTG") Bilangan 6/2020 (Panduan Pelaksanaan Pengambilan Bangunan atau Tanah yang Dipecah Bahagi) apply in this case? There have been instances where, in applying for consent to transfer in favour of the purchaser or transferee (for property with Restriction in Interest (Sekatan Kepentingan), the consent department of the Land Office still requires an Order for Sale (Perintah bagi Membenarkan Pentadbir untuk Menjual) to be submitted. Does this mean the circular does not apply to cases requiring consent?

A: The circular does apply to cases involving consent. The situation described may be an isolated case. There should be no issue for an executor to sell the property if the will does not impose any restrictions on the sale.

(7) Partial Caveat and Requirement for a Survey Plan

Q: When filing a partial caveat, I referred to Form 19B, specifically paragraph 3(c). Does this mean that a survey plan from a licensed surveyor must be attached?

A: No, a survey plan is not required. Only Form 19B and a statutory declaration are required to be submitted for registration.

(8) Filing a Caveat for Half Share of a Property

Q: If I intend to lodge a caveat on only half share of a property, should I indicate "1/2" in the land description?

A: Yes, this is considered a transaction involving a share of ownership. There is no specific form for such cases, but Form 19B should be used with the title amended to include the words "Atas Syer". The title should read: "Permohonan Untuk Memasukkan Kaveat Persendirian Atas Syer".

The transaction code for a caveat on a share is "KVSTS", which differs from a caveat on the entire property, which uses the code "KVST".

(9) Submission of IC

Q: Are we required to submit a copy of our ICs in colour, or is a black and white copy accepted as well?

A: The colour of the document does not matter, nor is the size something of concern. A scanned copy is also accepted, provided it is marked as a certified true copy.

(10) Requirement for a Firm's Round Stamp

Q: Is it mandatory for a law firm to use a small, round stamp?

A: No, a round stamp is **not** mandatory. The signatory's initials are sufficient. If an error occurs and needs correction, the incorrect text should be struck through, and the correction should be initialled by the attester. If a round stamp is used, it is also accepted and does not pose an issue for it to be rejected for registration.

However, it should be noted that in cases involving a company either as the transferor or the transferee where attestation is by way of common seal, the solicitor cannot initial the transfer form or affix his/her stamp on the document. The authorised signatory is the company's representatives, and so, either the director or the company secretary will need to initial the transfer document.

(11) Company Directorship and Common Seal Requirements

Q: If a company has only one director, is this acceptable under the NLC? I understand that there should be one director and one company secretary.

A: The Companies Act 2016 allows for a single director, and only a company search is required to verify the directorship.

As for the common seal, the company has the option to use a common seal or a rubber stamp. If a company with a sole director uses a common seal, attestation is not required. However, if the director uses a rubber stamp, attestation is mandatory. A rubber stamp is not a common seal.

(12) Submission of Quit Rent and Assessment Receipts

Q: For the purpose of registration of a property, we normally need to submit a certified true copy of the quit rent receipt. However, since the Land Office already keeps a record of payment in their system, why is it necessary to provide certified true copies of the quit rent and assessment receipts?

A: Submission of these documents is not required. PPTGWPKL has not required them for some time already. However, it is important to ensure that both the current quit rent and assessment billings of the property are duly paid upon submitting the transfer documents for registration.

(13) Consent to Transfer Issued in the Name of a Developer's Staff Member

Q: When a developer applies for consent to transfer, they register the name of their staff member under the e-Tanah portal. As a result, the consent to transfer is issued in the name of the staff member instead of the developer. Would this cause any issues for the developer?

A: No, this does not pose an issue. What matters is that the supporting documents (lampiran) are correctly prepared and submitted.

(14) Firm's Address Stamp on Memorandum of Transfer

Q: For a Memorandum of Transfer ("MOT"), is it necessary to stamp the firm's address next to the lawyer's attestation?

A: No, it is not required. The attestation should **only include the lawyer's stamp**, which must display the lawyer's name, Bar Council registration number, and place of practice.

(15) Registration of *Hibah* and Requirement for Syariah Court Order

Q: If a *hibah* agreement was executed and signed while the donor was alive, can the property be directly transferred to the beneficiary? Alternatively, is it necessary to obtain confirmation from the Syariah Court? If a Syariah Court order is obtained, is that sufficient for the transfer of ownership to be effected for registration at the Land Office?

A: A Syariah Court order alone cannot be registered at the Land Office and does not have any legal effect for land registration purposes. Please refer to Pekeliling KPTG Bilangan 7/2017 (Perintah, Sijil atau Perakuan Faraid Tidak Boleh Digunakan bagi Tujuan Pendaftaran Turun Milik Harta Pusaka Si Mati). However, if the order explicitly refers to section 420 of the NLC, then PPTGWPKL may register it, but not as *hibah*. Instead, it would be registered as a vesting order.

Currently, the only type of Syariah Court order that PPTGWPKL accepts for registration is the divorce order for the division of matrimonial property (perintah harta sepencarian) issued by the Syariah High Court.

(16) Resubmission Timeline for Rejected Applications

Q: How long does PPTGWPKL allow for resubmission of rejected applications? Does the timeline start from the date of the rejection letter or the email notification?

A: The timeline is counted from the date stated in the rejection letter. Resubmission must be made within three months from that date.

(17) Penalty for Late Collection of Registration Documents

Q: Is there a penalty for late collection of documents relating to dealings or non-dealings registrations?

A: As of now, there is no penalty under the current Federal Territory of Kuala Lumpur Land Rules 1995 (Kaedah-Kaedah Tanah Wilayah Persekutuan Kuala Lumpur 1995). For any applicable fees, you need to follow the latest regulations.

(18) Difference between Rejection and Suspension

Q: What is the difference between rejection and suspension?

A: A rejection means that the application is rejected for registration and resubmission will require payment of the same fees again. However, if the rejection is due to an error on PPTGWPKL's part, the fee will be waived upon resubmission.

A suspension means that the application is suspended without the need to pay additional fees for resubmission, and PPTGWPKL will normally grant five days for the party involved to rectify the issue due to high submission volumes. Common reasons for suspension include missing documents, insufficient payment, or minor clerical errors. The applicant can opt to rectify their issue at the consultation room at PPTGWPKL.

(19) Company Name Format in Form 14A

Q: When filling out Form 14A for a company, should the company's name be followed by its Company Registration Number or Business Registration Number?

A: Both formats are acceptable, as long as they match the company search records with the Companies Commission of Malaysia (Suruhanjaya Syarikat Malaysia, "SSM").

(20) Certification of SSM Search for Form 14A

Q: Does the SSM search report for Form 14A need to be a certified true copy?

A: No, a certified true copy is not required. The SSM search report is considered valid as it is generated directly from the system and there is a QR code on the report.

(21) Estate Matters: Original Title Missing in a Multi-Owner Property

Q: I have obtained a High Court order for estate distribution, but my client's share is small (eg 7/80 share) in a title with many registered owners (eg 30 names). My client wants to distribute his share to four siblings, but he does not have the original title since it is held by one of the numerous owners, and no one knows who has it. The Lands and Mines Office (Pejabat Tanah dan Galian, "PTG") requires the original title for registration. How can this issue be resolved?

A: This is a case of multiple ownership. The recommended approach is that the client should deposit the title with PTG, if found, and a formal written request should be submitted to PTG to deposit the original title for safe keeping.

If any transactions need to be carried out on the property, a certified true copy of the title will be provided to confirm PTG's custody of the document.

However, if the original title is missing, PPTGWPKL will proceed with the estate distribution as per the High Court order, provided that the court order explicitly states that “the Court directs that the distribution or registration be carried out without the need to submit the original title.”

PPTGWPKL will not issue a new title, as this could lead to the existence of two different titles, which is legally problematic. In this case, the only proof of ownership will be through a land search as no new physical title will be issued. This approach prevents duplicate land titles and ensures legal clarity.